

**IN THE UNITED STATES DISTRICT COURT,
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

JEFFERY P. ECKERT, an individual,

Plaintiff,

V.

NEAL H. LEVIN, an individual
and FREEBORN & PETERS LLP
an Illinois Limited Liability Partnership

Defendants

Case No. 13 cv 08305

Hon. Charles Norgle
Judge Presiding

NOTICE OF VOLUNTARY DISMISSAL

Now comes the Plaintiff, by and through his counsel, The Patterson Law Firm, LLC and hereby dismisses this action against Defendants, Neal Levin and Freeborn & Peters, LLP, without prejudice pursuant to provision of 41(a)(1) of the Federal Rules of Civil Procedure. In support thereof, Plaintiff states as follows:

1. This case was filed on November 19, 2013.
2. Defendant has yet to answer Plaintiff's Complaint nor file a motion for summary judgment.
3. As Defendant has not answered Plaintiff's Complaint, nor filed a motion for summary judgment, Plaintiff is entitled to voluntary dismiss this case without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).
4. Federal Rule of Civil Procedure Rule 41(a)(1) provides, in relevant part:
 - (a) Voluntary Dismissal

(1) By the Plaintiff

(A) Without a Court Order. Subject to Rules 23(e), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) A notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.

5. Plaintiff hereby voluntarily dismisses all defendants *without prejudice*.

Respectfully submitted,

JEFFERY P. ECKERT,
Plaintiff

By: /s/Jefferey O. Katz
One of His Attorneys

Jefferey O. Katz
The Patterson Law Firm LLC
One North LaSalle Street, Suite 2100
Chicago, Illinois 60602
T: (312) 223-1699
ARDC No. 6283209

Dated: March 6, 2014

PROOF OF SERVICE

The undersigned, a non-attorney, certifies that on March 6, 2014 a copy of the **Notice of Voluntary Dismissal Without Prejudice** was filed electronically with the Clerk of the Court using CM/ECF system. The parties may access this filing through the Court's electronic filing system, and notice of this filing will be sent to the following parties by operation of the Court's electronic filing system.

TO: Steven M. Hartmann
Freeborn & Peters LLP
311 South Wacker Drive, Suite 3000
Chicago, IL 60606

/s/Christine Marte

[X] Under penalties as provided by law pursuant to Section 735 ILCS 5/1-109, the undersigned certifies that the statements set forth herein are true and correct or on information and belief, certifies that he/she verily believes the same to be true.